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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200551
Party	Defendant Coachella Music Festival, LLC
Correspondence Address	PETER K. HAHN LUCE, FORWARD, HAMILTON & SCRIPPS, LLP 600 W BROADWAY STE 2600 SAN DIEGO, CA 92101-3372 phahn@luce.com
Submission	Answer
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Date	08/12/2011
Attachments	Coachella Stylized Answer.pdf (4 pages)(286642 bytes)

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1 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 2 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD 3 4 5 In re: 6 Applicant's Mark: **COACHELLA (Stylized)** 7 Serial No.: 85/133,569 8 Filed: September 20, 2010 9 Published: In the Official Gazette on March 8, 2011 10 11 Coach Services, Inc., Opposition No. 91200551 a Maryland corporation, 12 Opposer, ANSWER TO NOTICE OF 13 **OPPOSITION** VS. 14 Coachella Music Festival, LLC, 15 a Delaware corporation, 16 Applicant, 17 18

Applicant Coachella Music Festival, LLC ("Applicant") hereby answers the Notice of Opposition filed by Coach Services, Inc. ("Opposer") as follows, wherein numbered paragraphs correspond to the like numbered paragraphs in the Notice of Opposition.

- 1. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 1 averments, and therefore denies same.
- 2. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 2 averments, and therefore denies same.
- 3. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 3 averments, and therefore denies same.

same.

- Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 4 averments, and therefore denies same.
 Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 5 averments, and therefore denies same.
 Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 6 averments, and therefore denies same.
 Applicant admits that Opposer is the owner of record of the registrations identified in sub-paragraphs (a)-(i). Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining paragraph 7 averments, and therefore denies
- 8. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 8 averments, and therefore denies same.
- 9. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 9 averments, and therefore denies same.
- 10. Applicant admits that Applicant is an organizer of music festivals and a retailer of consumer goods. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining paragraph 10 averments, and therefore denies same.
 - 11. Admitted.
- 12. Applicant admits that it intends to use the mark COACHELLA on the goods indentified in paragraph 11. The remaining paragraph 12 averments are denied.
 - 13. Denied.
 - 14. Denied.
 - 15. Denied.

AFFIRMATIVE DEFENSES

- 16. Applicant asserts the Opposer has failed to allege grounds sufficient to establish its standing to maintain the present opposition.
- 17. Applicant asserts the Opposer has failed to state sufficient grounds for maintaining an opposition and prevent registration of Applicant's mark.

	18.	Applicant	asserts	that	Opposer's	requested	relief	should	be	denied	because
there	is no lik	elihood of c	onfusio	n bet	ween Regis	strant's use,	, if any	, and A_{l}	ppli	cant's u	se.

- 19. Applicant asserts that Opposer's requested relief should be denied because Opposer has failed to use the mark COACHELLA in interstate commerce.
- 20. Applicant asserts that Opposer's requested relief should be denied as claims are barred due to latches and/or acquiescence by Opposer given the unreasonable delay in asserting its rights.

WHEREFORE, Applicant requests that the present opposition be dismissed with prejudice so that Applicant's application can proceed to mature into a registration.

Dated: August 12, 2011

Respectfully submitted,

By: PETER K. HAHN
Attorney for Applicant

LUCE, FORWARD, HAMILTON & SCRIPPS 600 West Broadway, Suite 2600 San Diego, California 92101 Telephone: (619) 699-2585

CERTIFICATE OF SERVICE BY MAILING

It is hereby certified that on August 12, 2011, a copy of the forgoing ANSWER TO NOTICE OF OPPOSITION was served on the attorneys for the Opposer by First Class Mail, postage prepaid at the following address:

Suzanne White Coach Services, Inc. 516 West 34th Street New York, NY 10001

Peter K. Hahn

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